

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

TIMOTHY CARTHON,

Plaintiff,

vs.

:

Case No. 3:12-cv-93

:

District Judge Thomas M. Rose
Magistrate Judge Michael J. Newman

CENTRAL STATE UNIVERSITY, *et al.*, :

Defendants.

ORDER ADOPTING REPORT AND RECOMMENDATION

The Court has reviewed the Report and Recommendation of United States Magistrate Judge Michael J. Newman (Doc. # 25), to whom this case was referred pursuant to 28 U.S.C. § 636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby **ADOPTS** said Report and Recommendation.

Accordingly, it is hereby **ORDERED** that the Defendants' Motion to Dismiss (Doc. # 2) is **DENIED AS MOOT**.

Date: August 7, 2012

***s/THOMAS M. ROSE**

Thomas M. Rose
United States District Judge